

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 853

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Dianna J. Duran

AN ACT

RELATING TO MARRIAGE LICENSES; PERMITTING COUNTY CLERKS TO RECEIVE ALL MARRIAGE LICENSE AND MARRIAGE CERTIFICATE FEE REVENUES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 40-1-11 NMSA 1978 (being Laws 1957, Chapter 33, Section 1, as amended) is amended to read:

"40-1-11. CERTIFICATE REQUIRED. --

A. Before ~~[any]~~ a county clerk issues ~~[any]~~ a marriage license, each applicant for a marriage license shall file with the county clerk a certificate from a physician licensed to practice medicine ~~[which]~~. The certificate shall state that the applicant has had ~~[those]~~ the tests and examinations ~~[as]~~ required by ~~[regulation]~~ rule of the ~~[health and environment]~~ department ~~[Such]~~ of health. The tests and

underscoring material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 examinations shall be made not more than thirty days prior to
2 the date of application for license. The certificate shall
3 state that medical evaluation or that treatment, as indicated,
4 has been made such that there is no bar to marriage, as
5 specified by the ~~[regulations]~~ rules of the ~~[health and~~
6 ~~environment]~~ department of health.

7 B. The certificate of the physician shall be on a
8 form to be provided and distributed by the public health
9 ~~[services]~~ division to all officers authorized to issue
10 marriage licenses and to all physicians within the state.

11 C. The secretary of health ~~[and environment]~~ shall
12 make rules ~~[and regulations]~~ and employ personnel necessary to
13 effectuate the purposes of Sections 40-1-11 through 40-1-13
14 NMSA 1978. If ~~[regulations]~~ rules require a laboratory test,
15 it shall be done in a laboratory approved by the secretary of
16 health ~~[and environment]~~.

17 D. A county clerk shall accept, in lieu of the
18 physician's certificate, a certificate from any other state
19 having premarital laws, if issued within the time limits
20 prescribed in Subsection A of this section and if ~~[such]~~ the
21 laws meet the ~~[regulations]~~ rules of the secretary of health
22 ~~[and environment]~~.

23 E. The county clerk shall receive a fee of twenty-
24 five dollars (\$25.00) for issuing, acknowledging and recording
25 a marriage license and marriage certificate. ~~[Fifteen dollars~~

underscored material = new
[bracketed material] = delete

1 ~~(\$15.00) of each fee shall be remitted by the county treasurer~~
2 ~~to the state treasurer, within fifteen days of the last day of~~
3 ~~each month, for credit to the children's trust fund.]"~~

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25